

**II. REMARKS**

**A. Status of the Claim**

Claims 2-7, 9-13, 18, 19, 22, 23, 31 and 32 have been amended without prejudice or admission.

Applicants submit that support for the amendments to claims 2-7, 9-11, 18, 19, 22, 23, 31 and 32 can be found, e.g., in original claims 2-7, 9-11, 18, 19, 22, 23, 31 and 32. Support for the amendments to claims 12-13, can be found, e.g., in paragraphs [0020] and [0022] of the original specification.

Applicants submit that additional support for the amendments to claims 6 and 7 can be found, e.g., in paragraph [0053] of the original specification. Applicants note that “poly(e-caprolactones)” in amended claims 6 and 7, and “poly( $\Sigma$ -caprolactones) in original claims 6 and 7 refer to poly(epsilon-caprolactones).

Applicants further submit that additional support for amendments to claims 22 and 23 can be found, e.g., in paragraphs [0085] and [0086] of the original specification.

It is respectfully submitted that no new matter has been added by virtue of the present amendments.

Claims 1-13, 18-19, 21-23 and 31-32 are currently pending, and encompass the species elected below.

**B. Election of Species**

In the Office Action, the Examiner requested that Applicants elect (i) a single species of a microsphere polymer (e.g., claims 6 and 7), and (ii) a single species of a matrix polymer (e.g., claims 22 and 23).

In response, Applicants elect without traverse (i) copolymers of polyesters as the species of the microsphere polymer and (ii) silicone copolymers as the species of the matrix polymer.

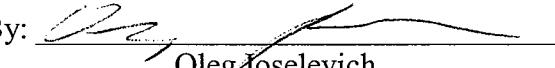
In response to the Examiner's request on page 2 of the Office Action "that applicant provide any known common or trade name(s) of the elected compounds," Applicants respectfully note that copolymers of polyesters and silicone copolymers are generic terms and include a number of compounds. Applicants submit that copolymers of polyesters include, e.g., poly(lactic-co-glycolic acid) (PLGA), and silicone copolymers include, e.g., polysiloxane-polymethacrylate copolymers.

Applicants submit that claims 1-13, 18-19, 21-23 and 31-32 read on the elected invention.

### III. Conclusion

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By:   
Oleg Ioselevich  
Reg. No. 56,963

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
(212) 736-1940